

The Flock Vaporizer was falsely and fraudulently represented to be effective as an aid in warding off the spread of such contagions as roup, catarrh, influenza, brooder pneumonia, chickenpox, diphtheria, and others of the respiratory tract in poultry that may be transmitted by contaminated air; effective as a treatment for affected heads, mouths, nostrils, mucous membranes and respiratory passages; effective to destroy infection, to destroy microbes, to ward off contagion, and to destroy poisonous germs; and effective as a prophylactic, antiseptic, and germicide, and to prevent the spread of contagion.

The Poultry Respiratory Stimulant was falsely and fraudulently represented to be effective as a poultry respiratory stimulant, as a bronchial alleviator, an antiseptic, a gastro-intestinal antiseptic, and as an antifermentative; effective to hinder and act against the spread of contagions such as roup, catarrh, influenza, brooder pneumonia, chickenpox, diphtheria, and other diseases of the respiratory tract in poultry flocks; and effective when used in conjunction with Murphy's Flock Vaporizer and Murphy's R-C Drinking Water Tablets, as a definite aid in the treatment of respiratory tract diseases.

The information also charged adulteration and misbranding of a product known as Dri-Disinfectant in violation of the Insecticide Act of 1910, reported in notice of judgment No. 1656 published under that act.

On January 9, 1939, a plea of nolo contendere was entered on behalf of the defendant and the court imposed a fine of \$25 on each count, the fines on the counts charging violation of the Food and Drugs Act amounting to \$150.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30202. Misbranding of Cal-co-cin. U. S. v. One Package and Two Bottles of Cal-co-cin. Default decrees of condemnation and destruction. (F. & D. Nos. 44331, 44397. Sample Nos. 34424-D, 34644-D.)

This product was misbranded because its label bore a statement purporting to indicate its ingredients, which statement failed to indicate the presence of cinchophen, an important ingredient.

On or about November 12 and 22, 1938, the United States attorney for the District of Maryland, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of one package of Cal-co-cin at Frederick, Md., and two bottles of Cal-co-cin at Taneytown, Md.; alleging that the article had been shipped in interstate commerce in part on or about August 17, and in part on or about October 20, 1938, by the Crescent-Kelvan Co. from Philadelphia, Pa.; and charging misbranding in violation of the Food and Drugs Act.

The article was alleged to be misbranded in that the statement on the label, "Bi Calcium-Ortho-Benzycin," was false and misleading, since it consisted of the calcium salts of benzoic acid and cinchophen. It also was alleged to be misbranded in violation of the Federal Food, Drug, and Cosmetic Act.

On December 5 and 15, 1938, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30203. Adulteration and misbranding of prophylactics. U. S. v. 20 Gross of Rubber Prophylactics. Default decree of condemnation and destruction. (F. & D. No. 44557. Sample Nos. 34347-D, 34356-D.)

Samples of this product were found to be defective in that they contained holes.

On December 20, 1938, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 20 gross of prophylactics at Washington, D. C.; alleging that the article was in possession of the Columbia Wholesale Sundries of Washington, D. C., and was being offered for sale in the District of Columbia; and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "X Cello's."

It was alleged to be adulterated in that its strength fell below the professed standard or quality under which it was sold.

It was alleged to be misbranded in that the following statement in the labeling was false and misleading: "X Cello's * * * Sold for Prevention of Disease."

On January 14, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*